

**REMARKS**

Upon entry of the present amendment, Amendment-A, claims 1-8 will be pending in the present application, of which claims 1-3 are independent. New claims 3-8 have been added to further define additional aspects of the invention.

The above-identified Office Action has been reviewed, the applied references carefully considered, and the Examiner's comments carefully weighed. In view thereof, the present Amendment-A is submitted. It is contended that by the present amendment, all bases of rejection set forth in the Office Action have been traversed and overcome. Accordingly, reconsideration and withdrawal of the rejection is respectfully requested.

**Amendments**

In the above amendments: claim 1 has been amended to further and more particularly define the subject matter which applicant regards as the present invention. Particularly, claim 1 has been amended herein to further define that a check plate that runs movably through the case and the check plate is linked to the other of the body and the door; that a shoe holder that is held by the case and the shoe holder is able to move towards and away from the check plate; and that a shoe that is disposed in the shoe holder, the shoe comprising a first segment having a high frictional surface and a second segment having a low frictional surface for sliding on the check plate accompanying relative movement between the case and the check plate.

Claim 2, having allowable subject matter as indicated by the Examiner in the Office Action, has been rewritten in independent form to include all limitations of the base claim (independent claim 1). Therefore, the amended claim 2 is believed to be in allowable form.

New dependent claims 3-6 define further aspects of claim 1. New independent claim 7 is similar to claim 1, except that a check plate is operatively situated in a center of the case dividing

the case into two halves. New dependent claim 8 defines further aspects of claim 7.

Applicant respectfully submits that the above amendments are fully supported by the original disclosure including drawings, and that no new matter is introduced into the application by the above amendments. Accordingly, it is respectfully requested that the rejections be reconsidered and withdrawn.

Applicant further respectfully submits that new claims 3-8 are fully supported by the original disclosure including drawings (specifically Figs. 3-5, and the discussion thereof), and that no new matter is introduced into the application by these new claims.

#### Claim Rejections

In the Office Action, the Examiner provides a very brief rejection of claim 1 under 35 USC §102(b) as allegedly anticipated by Breed et al. (US 6,065,185).

In the rejection, the Examiner states that Breed et al. has a case 170, a check plate 116, a shoe holder 181, a shoe 130, a check spring 150, and a return spring 140.

#### *Applicant's Response:*

Upon careful consideration and in light of the above amendments, applicant respectfully submits that the rejection is overcome, and claim 1 is patentably distinct over the disclosure of Breed et al. for several reasons, including those given below.

Structurally, the system of Breed et al. is different from the claimed invention because Breed et al. do not disclose a door checker having a case secured to one of the body and the door, as recited in claim 1. Further, in the system of Breed et al., a locking member such as a locking cam 130 is arranged in a housing 170 of door check mechanism 118 and has an integral cam shaft 132 and a profile around its circumference composed of sections 134, 135, 136, 137 and

138, in which the section 134 includes a flat surface which comes in contact with the strip member generally having an arcuate profile, and the magnitude of frictional force is determined by the geometry of the cam profile portions 134 and 135, the magnitude of spring force 150 and by the coefficient of friction between the strip member 116 and support member 160.

Further, although Breed et al. disclose a coefficient of friction of about 0.1 or greater between the cam profile surfaces 135, 134 and the strip member 116, they do not disclose the features as defined in claim 1. Specifically as defined, the surface of the first segment of the shoe, that contacts the check plate, is formed as a high frictional coefficient surface by embedding a high friction material such as rubber in that section, and the face of the second segment of the shoe that contacts the check plate is formed as a mirror-finished low frictional coefficient surface, as claimed.

Furthermore, Breed et al. fail to disclose a return-to-neutral means including a recess having a pair of inclined faces, a ball-shaped engagement member, a retainer that abuts against the engagement member and a return spring, as claimed.

Rather, the system of Breed et al. includes, as shown in their Fig. 4C, a tab 145 attached to cam support 170 with edge 139 of cam 130 which limits the rotation of cam 130 and prevents the snap through of the elastica springs 140 and the tab 145 is at least partially received within the recessed arcuate surfaces 137, 138 of the cam 130. The combination, of a tab 145 and the recessed surfaces including the edges of the cam, operated to bring the cam to a neutral position is clearly different than the return-to-neutral means, as claimed, for bringing the shoe to its neutral position.

Functionally, applicant notes that: the present invention is more advantageous than that of Breed et al. because, for example, system of Breed et al. heavily relies on proper functioning of

elastic springs 140 to bring a cam 130 to its desired neutral detenting position, that is, flat surface 134 of the cam 130 hold against a strip member 116 as shown in their Figs. 4A-4C and 5.

Further, in the system of Breed et al., only flat surface 134 comes in contact with the strip member 116 in detenting positions, and the flat surface 134 being having a small surface area, thereby creating less friction between the flat surface 134 and the strip member 116, may not provide stable door positions. In the claimed invention, a significantly large area of the shoe comes in contact with the check plate thereby providing stable door positions. Therefore, amended claim 1 is believed to be patentably distinct over the disclosure of Breed et al.

For all of the foregoing reasons, applicant requests consideration and withdrawal of the rejection of claim 1 under 35 USC § 102(b).

#### Conclusion

Applicant respectfully suggests that none of the additional references of record, considered either singly or in any combination, teach applicant's invention, as presently claimed and that further, skill generally available in the art would not lead to a person of ordinary skill to create applicant's claimed invention, using the references of record.

Further, applicant respectfully suggests that new claims 3-8 are patentably distinct over the disclosure of Breed et al.

Applicant respectfully submits that all of the above amendments are fully supported by the original application. Applicant also respectfully submits that the above amendments do not introduce any new matter into the application. New claims 3-8 are fully supported by the original application.

Based on all of the foregoing, applicant respectfully submits that all of the objections and

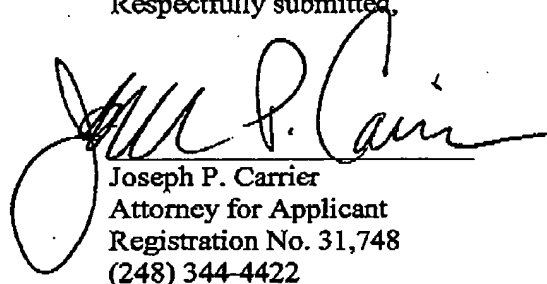
rejections set forth in the Office Action are overcome, and that as presently amended, all of the pending claims are believed to be allowable over all of the references of record, whether considered singly or in combination. Applicant requests reconsideration and withdrawal of the rejection of record, and allowance of the pending claims.

If any issues remain unresolved, applicant respectfully requests that the Examiner telephonically contact applicant's undersigned representative to expeditiously resolve prosecution of the application.

Favorable consideration is respectfully requested.

Respectfully submitted,

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